

On August 26, 2009, the Nebraska Supreme Court Technology Committee submitted to the Nebraska Supreme Court proposals for multiple rule amendments which are intended to require the mandatory use of e-mail addresses by active members of the Nebraska State Bar Association. These rule amendments will generally require active members of the NSBA to provide an e-mail address for purposes of communications to be sent to the lawyer, such as for service of papers under Neb. Ct. R. Pldg. § 6-1105(b)(2).

The Nebraska Supreme Court invites interested persons to comment on the proposed rule amendments. Anyone desiring to comment on these amendments should do so in writing to the office of the Clerk of the Supreme Court and Court of Appeals, P.O. Box 98910, Lincoln, NE 68509-8910, or via e-mail to lanet.asmussen@nebraska.gov no later than January 1, 2010.

Proposed amendments for comment regarding the mandatory use of e-mail addresses by active members of the Nebraska State Bar Association:

Neb. Ct. R. App. P. § 2-101(B)(5)(b):

(b) The name, address, city, state, zip code, telephone number, e-mail address, and Nebraska attorney identification number of each principal Nebraska attorney, and the name of the party or parties the attorney represents, or, if a party or parties represent themselves, the above information except for the identification number;

Neb. Ct. R. § 3-803(C):

(C) Registration. All members not already registered with the Secretary of this Association shall, within 60 days after being admitted to the practice of law by the Supreme Court of this State, register with the Secretary of this Association by setting forth the member's full name, business address, e-mail address, and signature. All members shall promptly notify the Secretary, in writing, of any change in ~~such~~ address their contact information. A member may provide more than one e-mail address, and if more than one e-mail address is provided, the member shall specify which e-mail address is to be used for receipt of electronically served documents.

Neb. Ct. R. § 6-1105(b)(2)(E):

(E) sending it to the attorney by electronic means pursuant to § 6-1111(a)(2) or sending it to a person not represented by an attorney by electronic means if the person being served has designated an e-mail address pursuant to § 6-1111(a)(2);

Neb. Ct. R. § 6-1111(a)(1) and (2):

(a)(1) Every pleading, written motion, and other paper shall be signed by at least one attorney of record in the attorney's individual name, or, if the party is not represented by an attorney, shall be signed by the party. Each paper shall state the signer's physical address and telephone number, if any. Each paper signed by an attorney shall state the attorney's Nebraska bar identification number and e-mail address. Except when otherwise specifically provided by statute, pleadings need not be verified or accompanied by an affidavit. An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party.

(2) The signature block on any paper may designate a fax number to which papers addressed to the signer may be sent by facsimile. The signature block on any paper signed by an attorney shall designate an e-mail address to which papers addressed to the signer may be sent electronically and the signature block on any paper signed by a person not represented by an attorney may designate an e-mail address to which papers addressed to the signer may be sent electronically.

Neb. Ct. R. § 6-1411:

§ 6-1411. Identification of attorney.

The name, address, ~~Nebraska attorney identification number, and~~ telephone number, e-mail address, and Nebraska attorney identification number of the attorney handling the matter shall be typed on each pleading except for original charging documents in traffic, criminal, and juvenile matters.

Neb. Ct. R. § 6-1503(E):

(E) Identification of Attorney: All pleadings shall be signed by an individual attorney, whether for himself or herself or on behalf of a firm; the name, address, telephone number, e-mail address, and ~~bar~~ Nebraska attorney identification number shall be typed under all signatures of attorneys appearing on each pleading.